

- II. Claims 3, 16-24, 28, 32, and 33, drawn to osteoprotegerin binding protein and a method of detecting osteoprotegerin classified in class 530, subclass 350.
- III. Claims 25-27, drawn to antibodies against osteoprotegerin binding protein and method of detecting osteoprotegerin binding protein, classified in class 530, subclass 387.1.
- IV. Claims 29 and 30, drawn to a method of using osteoprotegerin binding protein to assess candidate compounds to bind to osteoprotegerin binding protein, classified in class 435, subclass 7.1.
- V. Claim 31, drawn to a method of using nucleic acids encoding osteoprotegerin binding protein, classified in class 514, subclass 44.
- VI. Claim 35, drawn to a method of treating bone diseases with soluble osteoprotegerin binding protein, classified in class 514, subclass 2.
- VII. Claim 36, drawn to a method of treating bone diseases with antibody against osteoprotegerin binding protein, classified in class 424, subclass 130.1.

Applicant elects to prosecute the invention of Group VII, Claim 36. Applicant understands that Claim 34 will also be examined as it was considered a linking claim of Groups VI and VII. Accordingly, Claims 34 and 36 are under examination.

The Claims

Claims 1-33 and 35 are canceled without prejudice as being directed to a non-elected invention.

Elected claims 34 and 36 are canceled and new Claims 37-49 have been added. The subject matter of the new claims corresponds to that in elected Claims 34 and 36. The new claims are directed to a method of treating bone disease in a mammal comprising administering a modulator of an osteoprotegerin binding protein. The claims are also directed to a method of treating bone disease wherein the modulator is an antibody or fragment thereof which binds to an osteoprotegerin binding protein. Support for the new claims is found at pp. 22-23 of the specification and also in Example 11 at pp. 46 and 47. It is submitted that the new claims do not introduce new matter and entry of same is respectfully requested.

Pursuant to the requirements relating to the disclosure of nucleotide and/or amino acid sequences as set forth in 37CFR 1.821-1.825, Applicant submits herewith a paper copy of the Sequence Listing, a computer readable form thereof, and a statement that the paper and computer readable copies are the same. It is believed that the application is in compliance with the aforementioned sequence rules.

Applicant: Boyle
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CONCLUSION

Upon entry of the amendments, Claims 37-49 are in condition for allowance and an early notice thereof is solicited.

Respectfully submitted,



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